

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Bott et al.
Serial No. : 10/576,356
Filed : April 17, 2006
Title : PREPARATIONS FOR TOPICAL APPLICATION AND METHODS OF
DELIVERING AN ACTIVE AGENT TO A SUBSTRATE
Docket : DOG 0101 PA/35319.68
Confirm. No. : 9374

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in
an envelope addressed to: Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450, on December 8, 2006.


Attorney - Timothy W. Hagan Reg. No. 29,001

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in
the United States Designated/Elected Office (DO/EO/US) mailed 12/04/2006.

Applicants submit herewith a properly signed declaration in compliance with 37 CFR
§1.497 (a) and (b). Also enclosed is a copy of the Notification of Missing Requirements (Form
PCT/DO/EO/905).

The surcharge in the amount of \$130.00 as set forth in 37 CFR 1.492(e) is being
submitted on the enclosed Credit Card Payment Form (PTO-2038).

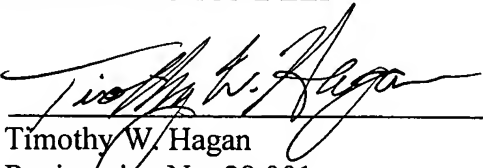
12/14/2006 HKAYPAGH 00000133 10576356

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130.00 DP

Respectfully submitted,
DINSMORE & SHOHL LLP

By


Timothy W. Hagan
Registration No. 29,001

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TWH/AMM
Encls.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	10/576,356
Filing Date	04/17/2006
First Named Inventor	Richard R. Bott
Examiner Name	
Art Unit	
Attorney Docket No.	DOG 0101 PA/35319.68

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____ x _____ = _____						
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 or HP = _____ x _____ = _____						
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	(round up to a whole number) x _____	= _____	

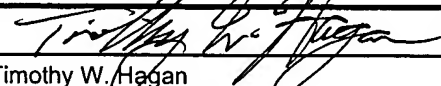
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Late Oath or Declaration

Fees Paid (\$)
130.00

SUBMITTED BY

Signature		Registration No. 29,001 (Attorney/Agent)	Telephone (937) 449-6400
Name (Print/Type)	Timothy W. Hagan	Date 12/08/2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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DEC 07 2006

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 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/576,356	FIRST NAMED APPLICANT Richard Bott	ATTY. DOCKET NO. DOG 0101 PA/35319.68
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INTERNATIONAL APPLICATION NO. PCT/US04/35686	
I.A. FILING DATE 10/27/2004	PRIORITY DATE 10/27/2003

CONFIRMATION NO. 9374

371 FORMALITIES LETTER



OC000000021442676

Date Mailed: 12/04/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/17/2006
- Copy of the International Search Report filed on 04/17/2006
- Preliminary Amendments filed on 04/17/2006
- Information Disclosure Statements filed on 07/31/2006
- U.S. Basic National Fees filed on 04/17/2006
- Priority Documents filed on 04/17/2006

COPY

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,356	PCT/US04/35686	DOG 0101 PA/35319.68

FORM PCT/DO/EO/905 (371 Formalities Notice)